

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES EDWARD JONES,

Plaintiff,

v.

SPECIAL COMMITMENT CENTER,
MARK STRONG, TODD DUBBLE, and
AL NERIO,

Defendants.

CASE NO. C14-5018 BHS-JRC

ORDER STRIKING IMPROPER
FILINGS

The District Court has referred this 42 U.S.C. § 1983 civil rights action to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636 (b)(1)(A) and (B), Fed. R. Civ. P. 72, and Local Magistrate Judge Rules MJR 1, MJR 3, and MJR 4.

Plaintiff filed a response to defendants' answer, (Dkt. 15), and a memorandum in support of his complaint, (Dkt. 17). Plaintiff has also filed discovery requests addressed to "defendants." (Dkt. 16). Defendants move to strike these three pleadings because they are not pleadings that are allowed under the Federal Rules of Civil Procedure (Dkt. 18). Plaintiff responded and argues that his answer contains a claim for damages and that Fed. R. Civ. P. 12(f) is not the proper

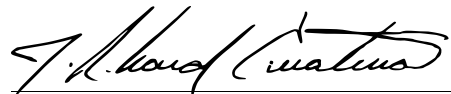
1 manner to dismiss an action (Dkt. 19, p. 2). Defendants reply and argue that Fed. R. Civ. P. 7
2 does not allow for plaintiff's response to an answer. Defendants also state that they do not seek
3 to dismiss any claim made in plaintiff's complaint (Dkt. 20).

4 The Court grants defendants' motion. Fed. R. Civ. P. 7(a) sets forth pleadings allowed
5 and a response to an answer is not among the allowed pleadings. Interrogatories, requests for
6 production, and admissions are served on other parties -- not filed with the Court. *See* Fed. R.
7 Civ. P. 33(a)(1); 34(a); and 36(a)(1). Further, plaintiff needs to send his discovery requests to
8 counsel for defendants and plaintiff must address his requests to specific defendants.

9 Finally, Fed. R. Civ. P. 8 (a) sets forth the requirements for a complaint and plaintiff's
10 memorandum in support of his complaint is not allowed and would violate the rules requirement
11 that the complaint contain a short and plain statement of the claim.

12 The Clerk's Office is directed to strike plaintiff's response to an answer (Dkt. 15),
13 plaintiff's motion regarding discovery (Dkt. 16), and plaintiff's memorandum in support of his
14 complaint (Dkt. 17).

15 Dated this 21st day of May, 2014.

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18 J. Richard Creatura
19 United States Magistrate Judge
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